REMARKS

Claims 31-34, 36, and 37 are amended herein. Claims 3-6, 8, 10-13, 15, 16, 18-20, 22, 23, and 27-37 will be pending upon entry of this amendment.

The following remarks are responsive to the final Office action dated September 11, 2006.

Applicants acknowledge the allowance of claim 35 and the allowability of claims 18-20.

The undersigned thanks the Examiner for the phone interview of October 13, 2006. While an agreement was not reached, the amendments made herein and the following remarks are in part a result of the phone interview between the undersigned and the Examiner. Specifically, the Examiner agreed that the references cited in the final Office action failed to disclose a scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claims 31-34, 36, and 37. Support for this amendment can be found in the present application at least at paragraph [0061]. Accordingly, applicants submit that the amendments made herein place the application in form for allowance.

Response to Rejection of Claims

Claim 31

Amended claim 31 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing scrim member intimately associated with the absorbent core to

maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending in a machine direction, and cross direction (CD) strands extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein the MD strands are elongate and are spaced according to a first spacing frequency, and at least some of said CD strands have as a characteristic difference a second spacing frequency different from the first spacing frequency of the MD strands, the second spacing frequency of the CD strands being varied in different zones of the elongate MD strands to provide a variance in stiffness between such zones, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Amended claim 31 is submitted to be non-obvious and patentable over the references of record, and in particular U.S. Patent No. 6,093,663 (Ouellette et al.) in view of U.S. Patent Application Publication No. 2002/0009940 (May et al.), in that whether considered alone or in combination, the references fail to show or suggest the combination of features recited in claim 31. In particular, the cited references fail to teach or

suggest an absorbent article including a scrim member attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

As shown in Figs. 1 and 2, Ouellette et al. disclose a laminate structure 20 comprising a first fabric layer 22 and an open cell mesh 24. The open cell mesh 24 has a plurality of first strands 26 and a plurality of second strands 28 (mislabeled 29 in Figs. 1 and 2) intersecting the first strands at nodes 30 to form a net-like structure. The first strands 26 are used to bond the mesh 24 to the first fabric layer 22, and the second strands 28 are used to render the laminate structure 20 elastic along the direction of second strands. More specifically and as shown in Fig. 2a, the first strands are softened so that fibers 43 of the first fabric layer 22 are encapsulated by a portion of the first strands.

As a result, Ouellette et al. fails to teach or suggest an absorbent article including a scrim member attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claim 31.

May et al. disclose an elastic laminate TEL with different zones of tension across its width. As shown in Fig. 1, the elastic laminate TEL includes an elastic nonwoven layer 6 having at least one low tension zone 10 and high tension zone 14. The low tension zone 10 has plurality of elastomeric first filaments 12, and the high tension zone 14 has a plurality of elastomeric second filaments 16. The first and second filaments 12, 16 can

be bonded to facing materials 18, 20 using adhesive, thermobonding, ultrasonic bonding, stitching and the like. See paragraph [0053] of May et al.

Thus, May et al. also fail to teach or suggest an absorbent article including a scrim member attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claim 31.

Since both Ouellette et al. and May et al. fail to teach or suggest an absorbent article including a scrim member attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claim 31, a combination of these references likewise fails to disclose or suggest such a feature. Accordingly, amended claim 31 is submitted to be patentable over the references of record including Ouellette et al. and May et al.

For at least these reasons, claim 31 is submitted to be nonobvious and patentable over the references of record. Claims 3-6, 8, 15, 16, and 27-30 depend either directly or indirectly from claim 31 and are submitted to be patentable over the references of record for at least the same reasons as claim 31.

Claims 32

Amended claim 32 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing

scrim member intimately associated with the absorbent core to maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending in a machine direction, and cross direction (CD) strands extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein said MD strands each have a strand diameter, and wherein said CD strands each have as a characteristic difference a strand diameter less than said MD strand diameter, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Amended claim 32 is submitted to be non-obvious and patentable over the references of record, and in particular Ouellette et al. in view of May et al. for substantially the same reasons as set forth above with respect to claim 31. That is, whether considered alone or in combination, the references fail to show or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and

entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Accordingly, amended claim 32 is submitted to be nonobvious in view of and patentable over the references of record. Claims 10-13 depend either directly or indirectly from claim 32 and are submitted to be patentable over the references of record for at least the same reasons as claim 32.

Claim 33

Amended claim 33 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing scrim member intimately associated with the absorbent core to maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending in a machine direction, and cross direction (CD) strands extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein both of said MD strands and said CD strands are round in cross-section, the CD strands being smaller in cross-section than the MD strands, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and

entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Amended claim 33 is submitted to be non-obvious and patentable over the references of record, and in particular Oulette et al. in combination with May et al., for substantially the same reasons as set forth in connection with claim 31. That is, Ouellette et al. and May et al., whether considered in combination or alone, fail to teach or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Accordingly, amended claim 32 is submitted to be nonobvious in view of and patentable over the references of record.

Claim 34

Amended claim 34 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing scrim member intimately associated with the absorbent core to maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending in a machine direction, and cross direction (CD) strands extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one

characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein the network of MD strands and CD strands is formed with at least some of the CD strands being continuous and having weakened points along their lengths to enhance buckling, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Amended claim 34 is submitted to be patentable over the references of record, and in particular Ouellette et al. in view of U.S. Patent No. 5,622,581 (Ducker et al.), in that whether considered alone or in combination, the references fail to show or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

As discussed in detail above with respect to claim 31, Ouellette et al. fail to show or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Ducker et al. also fail to teach or suggest this feature. As shown in Figs. 1 and 2, Ducker et al. disclose a method of

making absorbent articles (e.g., a pair of training pants) wherein elastic strands 12 are adhered using adhesive patches 2a, 2b, 2c between an outer non-woven fabric 14 and a film barrier 13. The elastic strands 12 are de-elasticized along a portion of their length so that they do not apply tension to the crotch region of the final garment. Thus, Ducker et al. fails to teach or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member

Since both Ouellette et al. and Ducker et al. fail to teach or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member, a combination of these references likewise fails to disclose or suggest such features. For at least these reasons, amended claim 34 is submitted to be non-obvious and patentable over the references of record.

Claim 36

Amended claim 36 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing scrim member intimately associated with the absorbent core to maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending

in a machine direction, and cross direction (CD) strands extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein the CD strand is corrugated and forms peaks and valleys along the cross direction thereof, said MD strands being arranged to engage the CD strands across the peaks and valleys thereof, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Amended claim 36 is submitted to be non-obvious and patentable over the references of record, and in particular Ouellette et al. in view of U.S. Patent No. 4,107,371 (Dean), in that whether considered alone or in combination, the references fail to show or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

Ouellette et al. do not teach or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the

scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claim 36. Applicants position with respect to the Ouellette et al. lack of disclosure with regard to this feature is set forth in detail above with respect to claim 31.

Dean is directed to a woven fabric that is relatively stiff in one direction and relatively flexible in another. Nowhere does Dean mention an absorbent core being at least partially made of fibers. As a result, Dean fails to teach or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member as recited in amended claim 36.

Since Ouellette et al. and Dean fail to teach or suggest the same features of amended claim 36, a combination of the references must also fail to teach or suggest all of the features of claim 36. Thus, amended claim 36 is submitted to be non-obvious and patentable over the references of record.

Claim 37

Amended claim 37 is directed to an absorbent article for absorbing body fluids comprising an absorbent core being at least partially made of fibers and constructed and arranged for receiving and holding such fluids and including a reinforcing scrim member intimately associated with the absorbent core to maintain its structural integrity in use, said scrim member comprising a network of machine direction (MD) strands extending in a machine direction, and cross direction (CD) strands

extending in a cross direction, at least some of said MD strands and CD strands crossing over each other and being interconnected, said MD strands being selected and formed to provide a predetermined stiffness and strength in supporting said absorbent core in the machine direction, and said CD strands being selected and formed with at least one characteristic difference from said MD strands to provide a stiffness of the absorbent core in the cross direction that is less than said stiffness of the absorbent core in the machine direction, wherein the CD strands are woven under and over the MD strands, the scrim member being attached to the absorbent core through at least one of: entanglement of the fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member.

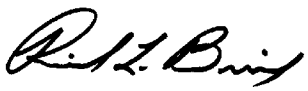
Amended claim 37 is submitted to be non-obvious and patentable over the references of record, and in particular Ouellette et al. in view of Dean for substantially the same reasons set forth above with respect to claim 36. That is, whether considered alone or in combination, Ouellette et al. and Dean fail to show or suggest an absorbent article including a scrim member being attached to an absorbent core through at least one of: entanglement of fibers with the scrim member; entanglement of fibers with other fibers entangled with the scrim member; and entanglement of fibers with each other where at least one of the entangled fibers passes through the scrim member. As a result, amended claim 37 is submitted to be non-obvious and patentable over the references of record.

CONCLUSION

In view of the foregoing, favorable consideration and allowance of claims 3-6, 8, 10-13, 15, 16, 18-20, 22, 23, and 27-37 is respectfully requested.

Although applicants believe that no fee is due, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 19-1345 in the name of Senniger Powers.

Respectfully submitted,



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